

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

591C0791

SENATE ENGROSSED NO. **HB1262** - 2/18/99

Introduced by: Representatives Apa, Crisp, Napoli, and Sutton (Duane) and Senators Albers and Brown (Arnold)

1 FOR AN ACT ENTITLED, An Act to provide a procedure to form a road district if there are
2 three or less landowners and to prohibit the transfer of the jurisdiction of certain public
3 highways to a road district.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 31-12A-1 be amended to read as follows:

6 31-12A-1. ~~A populated~~ Any area outside the boundary of a municipality, which is situated
7 so that the construction or maintenance of roads becomes desirable, may be incorporated by its
8 landowner or landowners as a road district pursuant to this chapter.

9 Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
10 as follows:

11 Notwithstanding any other provision of chapter 31-12A, one, two, or three landowners may
12 form a road district pursuant to this chapter. If there are three or less landowners, each
13 landowner shall be a trustee at large and no election of trustees is required. After the district is
14 incorporated and the number of landowners within the district is five or more, the district shall
15 conduct an election pursuant to § 31-12A-16. The district shall conduct the election on the next
16 anniversary date of the formation of the district.

1 Section 3. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
2 as follows:

3 No political subdivision of the state may relinquish or transfer jurisdiction over any public
4 highway to a road district.

1 **BILL HISTORY**

2 1/29/99 First read in House and referred to Local Government. H.J. 269

3 2/9/99 Scheduled for Committee hearing on this date.

4 2/9/99 Local Government Do Pass, Passed, AYES 13, NAYS 0. H.J. 430

5 2/10/99 House of Representatives Do Pass, Passed, AYES 63, NAYS 3. H.J. 471

6 2/11/99 First read in Senate and referred to Local Government. S.J. 455

7 2/17/99 Scheduled for Committee hearing on this date.

8 2/17/99 Local Government Do Pass, Passed, AYES 6, NAYS 0. S.J. 518

9 2/18/99 Motion to Amend, Passed. S.J. 575

10 2/18/99 Senate Do Pass Amended, Passed, AYES 24, NAYS 8. S.J. 575

11 2/18/99 Senate Title Amended Passed. S.J. 576